

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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THOMAS CARTER #645573,

Plaintiff,

Case No. 2:18-CV-3

v.

PATRICIA SUPNICK, et al.,

HON. GORDON J. QUIST

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On January 7, 2019, Magistrate Judge Greeley issued a Report and Recommendation recommending that the Court deny Defendants' motion for summary judgment on the basis of exhaustion because a question of fact remains as to whether Plaintiff properly exhausted his grievance remedies. The Report and Recommendation was served on the parties on January 7, 2019. No objections have been filed pursuant to 28 U.S.C. § 636(b). Therefore the Court will adopt the Report and Recommendation.

Therefore,

**IT IS HEREBY ORDERED** that the January 7, 2019, Report and Recommendation (ECF No. 24) is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment on the Basis of Exhaustion (ECF No.16) is **DENIED**.

Dated: February 13, 2019

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE